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FEDERAL HIGHWAY ADMINISTRATION
REGION 8

STATE OF MONTANA
DEPARTMENT OF HIGHWAYS

SECTION 4 (f) STATEMENT
FOR
BUTTE E-W CONNECTOR
M1808 (1)

JANUARY, 1987

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U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
REGION 8

STATE OF MONTANA
DEPARTMENT OF HIGHWAYS

SECTION 4(f) STATEMENT

FOR

# BUTTE E-W CONNECTOR
M1808(1)

SUBMITTED PURSUANT TO 42 U.S.C. 4332(2)(c) AND
49 U.S.C. 303

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Reviewer:

The following Draft Section 4(f) Statement documents the various studies and meetings that occurred during the development of this project and were involved in arriving at a determination that there are no prudent and feasible alternatives to the use of the 4(f) property from Silver Bow Creek.

Comments and questions will be accepted for 45 calendar days after the receipt of this letter. If no communications occur during this time period, it will be assumed that person or agency does not have any comments. All comments should be sent to:

Stephen C. Kologi, P.E.
Chief, Preconstruction Bureau
Montana Department of Highways
2701 Prospect Avenue
Helena, MT 59620

M1808(1)
BUTTE EAST-WEST CONNECTOR
SECTION 4(f)

I. PROPOSED ACTION

The project is to provide an east-west corridor from Montana Street, near the Interstate 90 interchange to Continental Drive, near Texas Avenue. (See map in back pocket and map of alternates on following page.) The project length is approximately 1.6 miles. The proposed improvements include paving, curbs and gutters, sidewalks, signing and pavement markings, signalization (at Harrison Avenue), and drainage facilities. The proposed street section is 45 feet wide, back of curb to back of curb, with sidewalks adjacent to the back of curb on both sides of the alignment. The sidewalks will be a minimum of five feet in width, with wheelchair ramps at all intersections. The proposed typical section will require an 80 foot right-of-way. Areas with cuts or fills exceeding five feet will require a wider width. In commercial areas adjacent to Harrison Avenue, a narrower right-of-way may be considered to minimize impacts.

The proposed project will provide an efficient means of traveling east-west through south central Butte.

Section 4(f) of the 1966 U.S. Department of Transportation Act (49 U.S.C. 303) states that an effort must be made to preserve the natural character of public parks and recreation areas, wildlife and wildfowl refuges, and historic sites that would be affected by roadway construction projects. Section 4(f) requirements are applicable if a proposed roadway project:

NORTH ALTERNATE
MIDDLE ALTERNATE
SOUTH ALTERNATE
CONTINENTAL
DRIVE
HARRISON AVENUE

* Takes land from a public park, wildlife refuge or recreation area of national, state, or local significance.

* Takes land from a historic site of national, state, or local significance.

* Uses land from a publicly-owned tract that is not officially designated as a park, recreation area or wildlife refuge, but that is being used for this purpose on a permanent basis if the official having jurisdiction believes its use as a 4(f) type area is significant.

In addition, the requirements of Section 4(f) are stated in 23 CFR Subsection 771.135 as follows:

No administrative action will use land from a significant publicly owned park, recreation area or wildlife and waterfowl refuge or any significant historic site unless a determination is made that:

(1) There is no feasible and prudent alternative to the use of land from the property; and

(2) The proposed action includes all possible planning to minimize harm to the property resulting from such use.

The purpose of the following parts of this Section 4(f) evaluation is to assess the impacts on the Silver Bow Creek-WPA Ditch, and demonstrate that the project complies with Section 4(f) requirements.

II. DESCRIPTION OF SECTION 4(f) RESOURCE

The Silver Bow Creek-WPA Ditch was a federally funded depression-era project constructed in Butte, Montana.

Kathy Huppe's report "Evaluation of Silver Bow Creek-WPA Ditch" provides the basis for the history of the ditch. The

memorandum from Raymond M. Grant, Butte District Engineering Services Superintendent, Montana Department of Highways, to Gordon Larson, Consultant and Safety Design Section Superintendent, Montana Department of Highways, provides information on the present condition of the ditch. Copies of both reports are available for inspection at the Montana Department of Highways, Helena, Montana.

The re-channelization and riprapping of Silver Bow Creek was part of a flood control project to rebuild and extend Butte's storm and sanitary sewer systems. The project was funded with Federal relief funds. From newspaper accounts, it appears that dredging for the project could have been underway in November, 1933. Final F.E.R.A. drawings for the project are dated 1934. The project was probably substantially completed in 1935.

Mr. Grant, inventoried the Silver Bow Creek-WPA Ditch between Texas Avenue and Montana Street in 1985. He ranked the existing channel into four categories and measured the length of each. Pictures representing the four categories are enclosed. The following table summarizes his findings:

Total channel length:	7,550 feet
Non-existent riprap:	40%
Poor riprap:	32%
Fair riprap:	26%
Good riprap:	2%

Mr. Grant's memo notes that two types of riprap were used on the project. The majority of the channel was riprapped with native rock, mostly granite common to the Butte area. It is highly irregular in shape and size. Some, though very little, is

quarried granite, as evidenced by the feather wedge method of cutting. Mr. Grant states the amount of this is so small and scattered that he would assume it was simply gathered by accident with the native rock. The other type of riprap is slag blocks, which are one foot square and six inches deep. The slag blocks are placed closely together, with some attempt at interlocking. The density of the slag is greater than the density of the native granite. A small portion of the channel south of the Civic Center is lined with the slag block and is one of the sections described as in good condition.

The significance of the Silver Bow Creek-WPA Ditch is it illustrates depression-era WPA projects that utilized federal funds and a work force with little prior experience in the work being performed to accomplish public works projects. The property was determined National Register, eligible November 8, 1985.

III. PREFERRED ALTERNATE

The south alternate is the preferred alignment. It was recommended by the Butte-Silver Bow Engineering Consultant at the public hearing, and approved by the Montana Highway Commission at its June 28, 1985 meeting for further design.

The south alternate considered the following alignment. From Montana Street to Kaw Avenue, it follows the alignment of Irwine Street. (Street signs call it George Street.) From Kaw Avenue to Casey Street, it follows Silver Bow Creek, with the westerly 1,000 feet being on the south side of the creek, and the

remainder on the north side. (See map following page 1.) The crossing affects 250± feet of the channel. From Casey Street to Texas Avenue, the south alternate differs from the north and middle alternates. The south alternate follows the north bank of Silver Bow Creek from Casey Street to the east side of Harrison Avenue. It passes south of the City-County shop complex on the north side of Silver Bow Creek and crosses to the south of Silver Bow Creek as the alignment approaches Texas Avenue. The alignment crosses Texas Avenue and connects with Continental Drive. This alternate will affect 1,730 lineal feet of Silver Bow Creek Channel, which represents 23 percent of the total length. The condition and length of riprap affected by the south alternate is:

Non-existing:	550 feet (32%)
Poor:	330 feet (19%)
Fair:	700 feet (40%)
Good:	150 feet (9%)

The amount of actual riprap affected is 1,180 feet and represents 16% of the total channel length.

Initial stages of planning considered the Silver Bow Creek Channel unsightly and a hazard to small children. Butte-Silver Bow has made no attempt to protect or preserve the riprap in the channel.

Thomas J. Cash, Director, Community Development, made the following comments in a May 5, 1986 letter, (enclosed). "The creek in the past, because of the types of waste it carried, was

known as a forbidden zone to children and persons residing in surrounding neighborhoods". He also states that 150 to 200 feet of riprap was recently removed by maintenance work on the west side of Harrison Avenue. On the east side of Harrison, the granite stones were replaced with smelter blocks at a section where a major storm sewer connects to the creek. This work was accomplished in 1954-1955 during Civic Center construction.

Rick Griffith, Butte-Silver Bow Reclamation Coordinator supports the south alternate in a letter (enclosed) dated December 5, 1985. He states lack of riprap and unsightliness of the creek greatly diminish the historical significance. He also states that encasing the creek would have a positive effect. It would negate the possibility of leach or groundwater contamination from the encased areas of the creek. This would aid the E.P.A. in locating sources of contamination.

Construction of the south alternate will reduce the community hazard of the open Silver Bow Creek channel, even though that is not the primary goal of the project.

The south alternate has minimal impact on existing and proposed commercial properties, including the Butte Civic Center and zoned commercial areas located along Harrison Avenue.

The proposed development is located west of Harrison Avenue, across the street from the Butte Civic Center. It had an Industrial Revenue Bond Issuance by the Butte-Silver Bow government for construction of an Ernst-Pay-N-Save Store as

described below in Section IV-D. In 1983, store officials indicated the development was on hold. Long range development would be contingent upon Butte showing population growth and economic development. The south alternate is located along the south boundary of the commercial area and provides additional and better access to the site than the existing sheets.

The additional access to the Butte Civic Center parking facilities is one of the primary design goals of the East-West Collector Project. The south alternate provides access to the Butte Civic Center parking facility, but requires elimination of 37 parking spaces.

The south alternate has numerous parallel utilities in its corridor, including the following:

1. The Metro Sewage Collection System (12th through 42nd).

2. The 34 inch pressure concentrator water line.

3. Montana Power Company overhead power lines from Montana Street to Casey Street.

4. Silver Bow Creek drainage channel.

Having the utilities and road in the same corridor provides for multiple use, i.e., two right-of-ways in the same general area are not required. It also provides easier access to the utilities, especially in the winter when the road is plowed and utility easements are covered with snow.

IV. ALTERNATES TO PREFERRED LOCATION

A. No-Build Alternate:

This alternate would have no effect on the Silver-Bow Creek-WPA Ditch. The no-build alternate would not address the need for an east-west connector street in south central Butte. Irwine Street and Civic Center Road, which comprise approximately 60 percent of the proposed connector corridor, presently carry traffic volumes of 2,300 vehicles per day on occasion. This is equal to the project design ADT. Presently, four north-south arterial streets, with ADT's of 7,000 to 14,000, exist with no direct east-west collector connecting all four. The no-build alternate requires motorists to enter residential areas or make bypass movements, adding considerable mileage and travel time to travel east-west in this vicinity.

Existing conditions indicate that the project is needed to provide a safe, efficient, direct east-west route to better serve Butte residents, the Butte Civic Center and commercial facilities along Harrison Avenue.

B. Alternate Location:

Construction at an alternate location would require routing through residential neighborhoods. A review of aerial photography reveals the proposed corridor is the only location available without uprooting and relocating many families from residential areas. An alternate location would also remove the roadway from the Butte Civic Center and commercial properties in the vicinity that generate much of the present east-west traffic.

An alternate location is not desirable to meet the needs and goals of the proposed project.

C. Partial Construction:

The portion of the project from Montana Avenue to Kaw Avenue could be constructed without disturbing the channel. This option may provide local relief, but does not address east-west traffic relief for the Harrison Avenue commercial traffic or the Butte Civic Center. Eventually an overall solution would be required. Completion of the remainder of the route discussed would be needed to provide the required east-west connector street.

D. North Alternate:

This alternate differs from the preferred south alternate between Casey Street and Texas Avenue. The north alternate departs from the Silver-Bow Creek channel with an "S" curve crossing Harrison Avenue immediately north of the Butte Civic Center. The alignment curves passing south of the tennis courts and baseball diamonds and north of the City-County shop complex, connecting to Continental Drive at the same location as the middle and south alternates. (See map following page 1.)

The alternate would affect approximately 200 feet of the Silver Bow Creek channel, in addition to the 250± feet affected by all three alternates, (about 3,150 feet east of Montana Avenue.) The affected channel, approximately 500 lineal feet, represents seven (7%) percent of the total site area. The riprap condition is as follows:

Fair:	100 feet
Poor:	400 feet

The north alternate has the advantages of:

1) The existing signalization for Civic Center Road and Harrison Avenue can be upgraded and used.

2) Existing road corridor north of the Butte Civic Center can be incorporated into the right-of-way.

The disadvantages are:

1) The "S" curve alignment west of Harrison Avenue would discourage commercial development in the Harrison Avenue area. The alignment passes through the middle of the commercial area. This area was included in the industrial revenue bond issuance by the Butte-Silver Bow government for development of the Ernst-Pay-N-Save Store. The development has not proceeded and the bond issue is now defunct. Regardless of whether this project proceeds or not, the land is still zoned for commercial development.

2) Restricted clearance east of Harrison Avenue occurs between a building on the north and the Butte Civic Center on the south. A right-of-way of 70 feet could be projected between the buildings. The desired right-of-way for the project is 80 feet. The typical section for the project is 55 feet from back of sidewalk to back of sidewalk, leaving only 7 feet to the face of the building. The building on the north is located at the right-of-way of Harrison Avenue and the proposed street, restricting sight distance to the north.

3) The main entrance-exit to the Butte Civic Center would face on the north alternate. Butte-Silver Bow officials expressed concern that people would be stopping there to leave off and pick up people during functions at the facility and therefore the incidents of vehicle-vehicle and vehicle-pedestrian accidents would increase. With the restrictions outlined in Item 2, the distance from the back of curb to the door of the Butte Civic Center would be only 13 feet.

E. Middle Alternate:

This alternate differs from the preferred south alternate between Harrison and Texas Avenues. This alternate continues east from the intersection of Harrison Avenue, passing through the Butte Civic Center parking lot. It connects with the north alternate near the City-County shop complex, and then follows the same alignment as the north alternate to Continental Drive. (See map following page 1.)

This alternate affects 1,330 lineal feet of riprap, which represents 18 percent of the total. This is 400 lineal feet less than the preferred location, the south alternate. This 400 lineal feet is all classed as non-existing riprap.

The middle alternate has the following advantages:

1) The reduced impact on commercial property is the advantage of this alignment. It is located along the south boundary of the large commercial tract and would provide better access for the tract than now exists.

2) The middle alignment affects 400 lineal feet of channel less than the preferred alignment.

The disadvantages of the middle alignment are:

1) It will eliminate approximately 117 parking spaces in the Civic Center south parking lot. This is 47 percent of the available parking at the Civic Center.

2) It requires relocation of the traffic signal lights at the Harrison Avenue intersection.

F. Comparison of Alternates:

The south alternate is preferred over either the north or middle alternates, even though over 1,700 feet of the historic ditch will be covered. The design of the south alternate will minimize impacts to a zoned commercial area and the Butte Civic Center and provides a safe roadway alignment. The preferred design will place the connector at the south edge of the commercial area, will only eliminate 37 parking spaces at the Civic Center and will improve access to the Civic Center. The middle alternate would affect 400 fewer feet of the historic ditch, would place the road at the south edge of the commercial area, but would eliminate 117 parking spaces (47% of the total parking) at the Civic Center. The north alternate would only impact 500 feet of the ditch, and would not affect parking at the Civic Center. It would discourage, if not eliminate, any interest in development at the zoned commercial area west of Harrison Avenue. The intersection at Harrison Avenue north of the Civic Center would have limited sight distance, - an unsafe situation. Placement of the connector at the front of the Civic Center will encourage people to stop to load and unload center visitors on the roadway. This situation is bound to involve numerous vehicle-vehicle and vehicle-pedestrian accidents. In light of these arguments, the south alternate is preferred.

V. MITIGATION

The Silver Bow Creek-WPA Ditch will be photo-documented under consultation with the Historic American Engineering Record,

National Park Service. Copies of the photographs and a history of the site will be provided to the National Park Service, the Montana Historical Society Library and the Butte Library.

VI. COORDINATION

Determination of the status of Silver Bow Creek for eligibility as a historic site was a coordinated effort of federal, state, local and private agencies.

The original survey of this project was performed by GCM Services, Inc., Butte, Montana, and submitted September 13, 1983. Their report recommended further study on Silver Bow Creek to determine its eligibility. The Department of Highways and State Historic Preservation Officer were furnished copies of the Cultural Resource Inventory in October, 1983. The SHPO requested additional information on portions of the report. Since then, GCM Services, Inc. and Department of Highway personnel have researched and written reports on Silver Bow-WPA Ditch. SHPO and the keeper of the National Register have determined from the information submitted, that a portion of Silver Bow Creek-WPA Ditch is eligible for inclusion in the National Register of Historic Places. Copies some correspondence and reports are enclosed.

A public hearing was held on June 28, 1984, in Butte to discuss the project and obtain public input on its impacts. No negative comments concerning the crossing or covering of Silver Bow Creek were received. Positive support was given to the middle and south alternates because they would eliminate the

existing open channel eyesore in the community and eliminate a liability hazard for pedestrians in the Harrison Avenue and Butte Civic Center vicinity.

Three Butte-Silver Bow departments (Planning Board, Public Works, Health) have written to MDOH in support of the road project, despite an adverse effect to the Silver Bow Creek-WPA ditch. This correspondence is attached.

The Montana Department of Highways has submitted the Preliminary Case Report to State Historic Preservation Officer and the Advisory Council. The letter from the State Historic Preservation Officer regarding the report is enclosed.

A draft memorandum of Agreement between FHWA, State Historic Preservation Officer and ACHP has been submitted to the ACHP and ratification is expected by fall of 1986.

VII. CONCLUDING STATEMENT

The need for an east-west connector street in south central Butte exists. The recommended corridor is the only feasible location, without disrupting large areas of developed properties and providing the most direct connector alignment.

Figure 1: Non-existant riprap.

This category represents the largest portion or 40% of the channel bank. It is characterized by a total lack of riprap. There are some areas included that the riprap is evident but is so sparce, or disturbed so thoroughly, that unless you knew what you were looking for it could not be identified. This also represents the area between Texas Ave. and the end of Home Ave. that appears to be a complete channel change from the original construction.

Looking N.W. between Lexington and Montana.

Looking N.W. from bend in channel at Home Avenue.

Figure 2: Poor riprap.

This category represents 32% of the channel. This category is characterized by riprap visible and fairly well in place but it is not all there. It is not as high on the bank or as dense as it should be. Much of it is missing or is evident on the channel bottom.

Looking S.W. halfway between Lexington Avenue and Montana Street.

Looking S.E. to Casey Street.

Figure 3: Fair riprap.
This category represents 26% of the channel. It is characterized by riprap still in place to approximate planned dimensions with a few disturbed areas.

Looking N.E. between Lexington Avenue and Casey Street.

Looking N.W. East of Kaw Avenue.

Figure 4: Good riprap

This category represents 2% of the channel. It is characterized by riprap in its apparent original condition, placement and lacking heavy vegetative covering. It appears to be undisturbed.

Looking at North bank south of Civic Center.

North bank West of Lexington Avenue.

CIRCULATION LIST

Donald Peoples, Mgr.
Butte-Silver Bow County
Courthouse
Butte, MT 59701

Butte-Silver Bow Planning Bd.
Courthouse
Butte, MT 59701

Tom Cash, Director
Community Planning Devlpmnt.
Courthouse
Butte, MT 59701

Butte-Silver Bow T.C.C.
Courthouse
Butte, MT 59701

Butte-Silver Bow Chamber
of Commerce
2950 Harrison Avenue
Butte, MT 59701

Butte-Silver Bow
Commissioners
Courthouse
Butte, MT 59701

School District #1
ATTN: Robert Moodry
111 North Montana
Butte, MT 59701

Silver Bow Co. Extension
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Bozeman, MT 59715

Dept. of Anthropology
University of Montana
Missoula, MT 59801

Dept. of Health & Env.
Sciences
Air Quality Bureau
Cogswell Building
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Dept. of Health & Env.
Sciences
Water Quality Bureau
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Montana Dept. of Education
Montana State Library
1515 East Sixth Avenue
Helena, MT 59620

Montana State University
Institute of Applied Research
Bozeman, MT 59715

Montana Historical Society
State Historic Preservation Officer
225 North Roberts Street

State Clearinghouse
Lieutenant Governor's Office
Capitol Building
Helena, MT 59620

Montana State University
Dr. Les Davis
Dept. of Anthropology
Bozeman, MT 59715

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Seattle Dist. Corps of Eng.
P. O. Box C-3755
Seattle, WA 98124

Dept. of Health & Human Services
Director, Office of Environmental Affairs
200 Independence Ave. S.W.
Room 537F
Washington, DC 20201

U.S. Dept. of Agriculture
U.S. Forest Service, Region 1
ATTN: Regional Forester
P. O. Box 7669
Missoula, MT 59801

U.S. Dept. of the Interior
Bureau of Land Management
222 N. 32nd Street
P. O. Box 36800
Billings, MT 59107

Environmental Protection Agency, Deputy Regional Administrator
One Denver Place, Suite 1300
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U.S. Dept. of the Interior
Director, Office of Environmental Project Review (Bruce Blanchard)
Washington, DC 20242

U.S. Dept. of the Interior
U.S. Geological Survey
Water Resources Division
Room 428, Fed. Bldg.
301 S. Park, Drawer 10076
Helena, MT 59626

U.S. Dept. of the Interior
Chief, Env. Impact Assessment Program
U.S. Geological Survey, MS-760
Reston, VA 22092

U.S. Dept. of Transportation
Federal Aviation Admin.
Airport District Office
FAA Building, Room 2
Helena, MT 59601

U.S. Dept. of the Interior
Chief, Western Field Operation Center
Bureau of Mines
E. 360 3rd Avenue
Spokane, WA 99202

U.S. Dept. of Transportation
Federal Highway Administration
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U.S. Dept. of the Interior
A.R. Morrell, Env. Mgr.
Bonneville Power Admin.
P. O. Box 3621 - SJ
Portland, OR 97208

U.S. Dept. of Transportation
United States Coast Guard
Commander (OAN)
13th Coast Guard District
915 Second Avenue
Seattle, WA 98174

U.S. Dept. of the Interior
National Park Service
Branch of Compliance, RMRD-PC
Denver Federal Center
P. O. Box 25287
Denver, CO 80225

U.S. Fish & Wildlife Service
Endangered Species Field Office
Federal Building
301 South Park
Helena, MT 59626

U.S. Dept. of the Interior
Office of Env. Project Review
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American Wilderness Alliance
C. R. Merritt, Exec. Director
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Englewood, CO 80112

Mr. Richard P. Graetz
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Helena, MT 59604

Burlington Northern R.R., Inc.
Don M. Nettleton, Director
Rocky Mtn. District
Timber and Land Management
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Missoula, MT 59801

Sierra Club
Bitterroot Mission Group
c/o Leo Joron
545 Beverly Avenue
Missoula, MT 59801

Montana Automobile Assoc.
P. O. Box 4129
Helena, MT 59604

The Wilderness Society
ATTN: Bill Cunningham
P. O. Box 635
Helena, MT 59624

Montana Stockgrowers Assoc.
Office of the Secretary
P. O. Box 1679
Helena, MT 59624

Montana Wildlife Federation
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Bozeman, MT 59715

Albertson's Food Center
1275 Harrison
Butte, MT 59701

James A. Poole, Jr.
1341 Harrison Avenue
Butte, MT 59701

Jack Burke
50 Burning Tree Lane
Butte, MT 59701

Mr. & Mrs. George Schotte
2805 Floral Park Blvd.
Butte, MT 59701

Butte Civic Center
ATTN: Manager
1340 Harrison Avenue
Butte, MT 59701

KOA Park
1601 Kaw Avenue
Butte, MT 59701

Montana Power Company
40 East Broadway
Butte, MT 59701

Mountain Bell Telephone Co.
ATTN: Mgr. Highways
Toll & R/W
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Helena, MT 59601

Butte Water Company
124 W. Granite
Butte,MT 59701

United States Department of the Interior

NATIONAL PARK SERVICE
WASHINGTON, D.C. 20240

IN REPLY REFER TO:

413

NOV 12 1985

The Director of the National Park Service is pleased to inform you of our determination pursuant to the National Historic Preservation Act, as amended, and Executive Order 11593 in response to your request for a determination of eligibility for inclusion in the National Register of Historic Places. Our determination appears on the enclosed material.

As you know, your request for our professional judgment constitutes a part of the Federal planning process. We urge that this information be integrated into the National Environmental Policy Act analysis and the analysis required under section 4 (f) of the Department of Transportation Act, if this is a transportation project, to bring about the best possible program decisions.

This determination does not serve in any manner as a veto to uses of property, with or without Federal participation or assistance. The responsibility for program planning concerning properties eligible for the National Register lies with the agency or block grant recipient after the Advisory Council on Historic Preservation has had an opportunity to comment.

We are pleased to be of assistance in the consideration of historic resources in the planning process.

Attachment

Date Recd. Preconst. 11-19-85

Act	Info	MAIL ROUTE	Attach	Initial
		30		
		30 Eng. Specialties		
		31 Contract Plans		
		32 Loc. Road Design		
L		33 Environment	L	
		34 Hydraulic		
		35 Surfacing Design		
		36 Traffic		
		37 Pub. Hearing		
		38 Photogrammetry		
	L	39 Consultant Design	L	
	L	Wapp	L	
	L	File	L	

E.O. 11593

DETERMINATION OF ELIGIBILITY NOTIFICATION
National Register of Historic Places
National Park Service

Name of property: Silver Bow Creek--WPA Ditch

Location: Silver Bow County State: MT

Request submitted by: DOT/FHWA W.S. Dunbar

Date received: 12/3/84 Additional information received: 1/28/85 10/4/85

Opinion of the State Historic Preservation Officer:

☒ Eligible ☐ Not Eligible ☐ No Response

Comments:

The Secretary of the Interior has determined that this property is:

☒ Eligible Applicable criteria: A ☐ Not Eligible

Comments:

The Silver Bow Creek is significant to Butte because it clearly epitomizes the impact of Depression-era federal relief programs on the economic and social history of the community. Although the creek has lost segments of its rip-rap lining, the historic appearance of this major WPA public works project is intact, retaining essential physical features in the form of its channel cut and alignment. The eligible portion of the Silver Bow Creek begins 25 feet east of the centerpoint of Montana Avenue on the west side and goes approximately 1.8 miles to a point 25 feet west of the centerpoint of Texas Avenue on the east side. The width of the boundary extends 25 feet on either side of the center of the channel.

☐ Documentation insufficient
(Please see accompanying sheet explaining additional materials required)

William B. Barker
for Keeper of the National Register

Date: 11/8/85

WASO-28

MONTANA HISTORICAL SOCIETY

HISTORIC PRESERVATION OFFICE

225 NORTH ROBERTS STREET • (406) 444-4584 • HELENA, MONTANA 59620

RECEIVED
THOMAS, DEAN & HOSKINS
JUN 27 1984
Hwy. Struct. Municipal
JAC
Job No.

June 25, 1984

James A. Cummings, P.E.
Thomas, Dean & Hoskins, Inc.
1200 25th St.
Great Falls, MT 59405

re: M1808(1) Butte E/W Collector

Dear Mr. Cummings,

Thank you for requesting our comments on the revised cultural resource inventory report for the above cited proposed project. We find the report to be complete and well documented. We also concur with the contractors' findings on the National Register eligibility for that portion of the Silver Bow Creek Channel located between Texas Ave. and Montana St. in Butte. None of the other properties recorded in this inventory effort appear to meet the criteria for listing in National Register of Historic Places. We do ask that copies of all site forms be submitted to the University of Montana, Department of Anthropology, for the assignment of Smithsonian site designations. The University maintains the State-wide historic and prehistoric site files; all cultural resource contracting firms are asked to obtain Smithsonian site designations prior to this office's review of project reports. Thank you for your attention to this detail.

Sincerely,

Patricia Bick

Patricia Bick,
Deputy SHPO/Survey and Registration

Butte-Silver Bow Planning Board

December 3, 1985

Ms. Mitzi Rossilan, Archaeologist
Environmental Section
Montana Department of Highways
2701 Prospect Avenue
Helena, MT 59601

Dear Ms. Rossilan:

I recently reviewed with interest and concern, a determination of eligibility notification that the Silver Bow Creek - WPA ditch improvements have been determined to be eligible for inclusion in the National Register of Historic Places by the United States Department of the Interior and the State Historic Preservation Office.

My interest was promulgated through my desire to promote and ensure the preservation of the historic culture of the Butte community. My concern stems from the need to provide safe and convenient traffic and circulation improvements in the community which promote orderly development and the overall health, safety and general welfare of the citizens of Butte.

As you know, it would be extremely difficult to develop any new collector street system within the older portions of the Butte community without resulting in some potential impacts to historic features. During the past several years, a great deal of study has been done to determine the location of a collector street system which:

A. improves the safety for the travelling public;

B. extends the traffic connector system and thereby improves the entire circulation system of the community;

C. eliminates traffic congestion;

D. minimizes impacts to surrounding land uses;

E. maximizes use of public resources; and

F. is designed to mitigate potential conflicts with existing infrastructure and other public agency requirements.

The preferred location of the proposed collector street meets these criterion and in addition, is in concert with the Master Land Use Plan and the Butte Urban Transportation Plan.

While I support the identification and/or preservation of significant historic features and sites, I feel in this instance the benefits derived to the public health, safety and general welfare resulting from the construction and improvement of the collector street system at the preferred location, overwhelmingly outweigh the historic significance of the Silver Bow Creek - WPA ditch.

Thank you for the opportunity to comment.

Respectfully,

Larry D. Walrod

Larry D. Walrod, Director
Butte-Silver Bow Planning Board

LDW/dka

BUTTE-SILVER BOW
DEPARTMENT OF PUBLIC WORKS
Courthouse
Butte, Montana 59701
Phone: (406) 723-8262

May 5, 1986

Mitzi Rossilan, Archaeologist
Environmental Section
Montana Department of Highways
2701 Prospect Avenue
Helena, MT 59601

Dear Ms. Rossilan:

In reviewing data produced for the Silver Bow Creek WPA Ditch, historic evaluation in Butte and the determination of eligible notification issued by the National Park Service, I was amazed , to say the least, with the finding of the Park Service. The Creek in the past, because of the types of waste it carried, was known as a forbidden zone to children and persons residing in surrounding neighborhoods.

The documentation produced reports that the majority of the manpower for the Silver Bow Creek Flood Control project was utilized to construct a sanitary sewer system which connected to Silver Bow Creek or existing systems in place. The mention of a 200 man crew digging a ditch along Princeton from Pine to the Whittier School in Kathy Huppe's evaluation is not relevant to the creek project. This excavation was for the purpose of installing a sanitary sewer line which begins at Princeton and Pine and terminated at Princeton and Howard Streets. This line was and still is a main collector line with a large service area. This and other work completed under the project, addressed the primary concerns of residents in the Silver Bow Park and Floral Park areas, that concern being the installation of the sanitary sewer system.

Prior to the installation of the Silver Bow Creek Ditch, the area was comprised of a series of dams that were installed at smelters that occupied at the edge of, what I assume, was marsh. The dams filled with mill tailings and resulted in a meandering creek which further filled the marsh area. Evidence of these tailings still exist along and adjacent to the creek and in some sections make up the creek bank. Along these sections of tailings vegetation is non-existant with rip-rap damaged because of erosion.

Because WPA improvements were mainly directed to upgrade the sewer system, the ditch is not the best representation of the project or of stone rip-rap work under a WPA project. The huge rip-rap walls constructed around the

lower athletic field at Montana Tech are much more representative of this type of work. Excellent workmanship is exhibited and maintenance by the College has kept the installation in good condition.

The portion of Silver Bow Creek adjacent to Harrison Avenue at the proposed road crossing has been altered recently. Maintenance work by Butte-Silver Bow to the west of Harrison has removed a entire section of rip-rap material (approximately 150-200 feet) and replaced it with gravel gabbions. To the east of Harrison the cut granite stones have been replaced with smelter blocks at a section where a major storm sewer connects to the creek. This modification occurred when the Civic Center was constructed in 1954-1955 and the open ditch was replaced with the storm sewer line.

As this project is not the best example of a WPA rip-rap project and the original intent of the project was to construct sanitary sewers, the Register should be more interested in identifying rip-rap construction such as that installed at the Montana Tech field. I would suggest that because of the condition of the ditch, with approximately 25% in fair to good condition, and that past maintenance and future maintenance probably will not be performed in a similar manner to the existing construction, that the ditch construction be photographed for the record and the proposed roadway constructed. The only section of the ditch that will be significantly affected will be those portions adjacent to Harrison Avenue, one side of which was replaced through maintenance.

Sincerely,

Thomas J. Cash, Director
Community Development

TJC:lr

BUTTE-SILVER BOW HEALTH DEPARTMENT
58 WEST QUARTZ
BUTTE, MONTANA 59701
406-723-3271

December 5, 1985

Mitzi Rossilam, Archeologist
Environmental Section
Montana Department of Highways
2701 Prospect
Helena, Montana 59601

Dear Ms Rossilam:

Tom Cash, Director of Community Development, has contacted the Health Department regarding Project #FAU 1808, the East-West Collector. He has asked for our opinion regarding historical and environmental impacts on the project. We have noted the following:

1) The historical significance of Silver Bow Creek at its easterly end is greatly diminished because of lack of (W.P.A.) Rip Rap and the unsightliness of the Creek. This is the end that would mostly be affected by the project. The advantages for this route far outweigh the concerns of historical significance in this area.

2) The routing of the Creek through a culvert also has a positive effect. The encasement of the Creek would negate the possibility of leach or ground water contaminants entering the Creek at any point other than existing storm drains. This would allow the E.P.A. to pin point the sources of contamination in this area. The alternate routes would have a greater impact than the primary route because they are routed through tailing areas,

If I can be of further assistance, please call me.

Sincerely,

Rick Griffith
Reclamation Coordinator

RG:mp

State Historic Preservation Office
Montana Historical Society
Mailing Address: 225 North Roberts • Helena, MT 59620-9990
Office Address: 102 Broadway • Helena, MT

Yes	Info	MAIL ROUTE	Attach	Initial
		30		
		30 Eng. Specialties		
		31 Control Plans		
		32 Loc. Road Design		
		33 Environment		
		34 Hydraulic		
		35 Surfacing Design		
		36 Traffic		
		37 Pub. Hearing		
		38 Photogrammetry		
		39 Consultant Design		
		Rapp		
		File		

September 17, 1986

Mitzi Rossillion, Archaeologist
Environmental Unit
Montana Department of Highways
2701 Prospect Avenue
Helena, MT 59620

RE: M 1808(1)
Butte E-W Connector

Dear Mitzi:

Thank you for the opportunity to review your preliminary case report for the project identified above. Clearly, I concur with your assessment that the project, as proposed, will have an adverse effect on the Silver Bow Ditch, a property judged to be eligible for listing in the National Register of Historic Places. The Ditch, in our judgment, is significant not only for its associations with and illustration of WPA construction, but for is associations with the first substantial clean up effort for Silver Bow Creek and its transportation of mining wastes through the heart of an urban area.

Assuming the traffic patterns and traffic needs for such a connector are as portrayed, we concur that use of this general corridor through Butte is appropriate - and results in much less significant loss of historic resources than it would if the corridor were constructed in Butte's historic Landmark neighborhoods. We note that virtually all of the alternatives--within this general corridor--involve some loss of historic ditch fabric. Hence, all would appear to be adverse effects. We do not feel we have substantial other grounds on which to refute or question the premises brought to bear on alternative selection. We would note, only, that emphasis on new commercial development in that area is somewhat difficult to understand in light of community interest in redevelopment of the historic downtown and warehouse districts. The mitigation proposed--especially in this instance the interpretive sign--appears to be appropriate--in keeping with the nature and significance of the resources.

In addition to the local offices that have commented on the project, I would urge you to request comments directly from Janet Ore in her capacity as Butte/Silver Bow Community Preservation Officer. As we've discussed, she will be in a good position to speak to the relative planning impacts of one alternative over another and offer any further suggestions for interpretive signing that come to mind.

Thank you again for requesting our comments early.

Sincerely,

Marcella Sherfy,
State Historic Preservation Officer

cc: Janet Ore

File: Comp/MDOH

MEMORANDUM OF AGREEMENT
SILVER BOW CREEK - W.P.A. DITCH
BUTTE, MONTANA
M 1808(1)

WHEREAS the Federal Highway Administration (FHWA) proposes to assist in funding the Butte East-West Connector in Butte.

WHEREAS the FHWA has determined that the highway undertaking shall have adverse an effect upon Silver Bow Creek-W.P.A. Ditch, a property eligible for inclusion in the National Register of Historic Places, and has requested the comments of the Advisory Council of Historic Preservation pursuant to Section 106 (and Section 110.f) of the National Historic Preservation Act (16 USC 470) and its implementing regulations, "Protection of Historic and Cultural Properties" (36 CFR Part. 800);

NOW THEREFORE, the FHWA, the Montana Historic Preservation Officer, and the Advisory Council on Historic Preservation agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

STIPULATIONS

FHWA shall insure that the following measures are carried out:

1. Montana Department of Highways (MDOH) and Butte-Silver Bow City-County shall prepare and erect an interpretive sign about the history of the Silver Bow Creek WPA Ditch. The format, wording, and sign placement shall be selected by the two agencies and approved by the SHPO before construction. Tentatively, the sign shall be erected at the Butte Civic Center near a train that is presently being interpreted for the public.

2. The WPA Ditch shall be recorded to Historic American Engineering Record (HAER) standards. To determine what documentation is required for the ditch, MDOH shall consult with the HAER program of the National Park Service, and, unless otherwise agreed to by NPS, all documentation shall be completed and accepted by HAER prior to project construction. Copies of the documentation shall be made available to the Montana Historical Society Library in Helena and the Butte Public Library.

3. If a dispute arises regarding implementation of this Agreement, FHWA shall consult with the objecting party to resolve the dispute. If any consulting party determines that the dispute cannot be resolved, FHWA shall request the further comments of the Council pursuant to the Council's regulations.

Execution of this Memorandum of Agreement evidences that the FHWA has afforded the Council a reasonable opportunity to comment on the highway undertaking and its effects on historic properties and that the FHWA has taken into account the effects of its undertaking on historic properties.

W S. Dunbar 11/20/86
for Federal Highway Administration (date)

[illegible] 11-25-86
State Historic (date)
Preservation Officer

Acting Executive Director (date)
Advisory Council on Historic Preservation

Chairman - Advisory (date)
Council on Historic Preservation

Concurring Parties:

[illegible] 11-6-86
Montana Department of Highways (date)

Butte - Silver Bow (date)

MR:3:mb:230/A

MONTANA AVE

KANN AVE

BLACKTAIL CREEK

SILVERBOW CREEK

CASEY STREET

IRVINE STREET

NORTH AL

CABLE TV
UNDERGROUND TELEPHONE
WATER
SANITARY SEWER
RCM CONCENTRATOR WATER LINE
GAS
STORM SEWER
UNDERGROUND ELECTRICAL
OVERHEAD ELECTRICAL

THOMAS, DEAN & HOSKINS INC.
ENGINEERING CONSULTANTS
GREAT FALLS · BOZEMAN · KALISPELL, MONTANA

BUTTE - SILVERBOW E - W COLLECTOR
PROJECT NO. M 1808 (1)
SCALE 1" = 300'

LAW OFFICES OF
POORE, ROTH & ROBINSON, P.C.
A PROFESSIONAL CORPORATION
1341 HARRISON AVENUE
BUTTE, MONTANA 59701-4898
(406) 782-1223

JAMES A. POORE, JR.
ROBERT A. POORE
URBAN L. ROTH
JAMES A. POORE, III
DONALD C. ROBINSON
C. RICHARD ANDERSON
DOUGLAS A. BUXBAUM

ROBERT C. BROWN
GARY L. WALTON
J. RICHARD ORIZOTTI
SHELLEY A. HOPKINS
BRENDON J. ROHAN

February 4, 1987

Stephen C. Kologi, P.E.
Chief, Preconstruction Bureau
Montana Department of Highways
2701 Prospect Avenue
Helena, Montana 59620

Re: Section 4(f) Statement for Butte E-W Connector M1808(1)

Dear Mr. Kologi:

A copy of the U.S. Department of Transportation, Section 4(f) Statement for Butte E-W Connector M1808(1), has been received.

This is to advise you that the report entirely overlooks the damage which either your south or middle alternates would do to the building owned and occupied by this law firm and located at 1341 Harrison Avenue, Butte, Montana.

Your Section 4(f) Statement does not mention our building and it does not indicate how close the roadway and sidewalk will be to the south side of the building. However, it is apparent that it will need to be very close to the building, if not right up against it, and will obviously take all of the 22 parking spaces which are on the south side of the building.

The loss of the parking spaces will not permit us to be within the requirements of the zoning ordinance for parking spaces for the building and a part of the damages which we will sustain will be the cost of obtaining additional parking, none of which can be as convenient as that which we now have.

It will be our position to attack the condemnation of our property on the basis that the road is not necessary.

There is a high pressure gas main, which runs parallel with the west side of the building, about eight or nine feet to the west of it, which at the present time prevents us from expanding to the west.

We have also considered expanding to the south, which would be directly into the area which you propose to make a part of the roadway.

The road would substantially damage our building (1) by removing the required parking spaces, and (2) making it uninhabitable for the purposes for which we use it. We have a conference room immediately next to the south wall of the building in which we take depositions and hold conferences. Traffic noises would substantially interfere with these activities.

The 4(f) Statement does not make clear whether we would have access to the proposed street from those parking spaces which we have on the west and north sides of the building. At the present time we have a street exit onto Harrison Avenue from the parking lot on the south side of the building, which is very convenient to our employees and clients.

It is our opinion that the building is a valuable asset to the City of Butte and is so considered by many of its citizens. We are paid substantial sums by out-of-state clients and the money is spent primarily in the City of Butte. At the present time there are 36 people working in this building.

We frankly believe that if you study the damage your proposed road would do this building, you will find that it will be a very expensive project and that it would be far better to take the northern route.

Thank you for your consideration. We look forward to hearing from you if you have any comments with regard to the foregoing.

Very truly yours,

POORE, ROTH & ROBINSON, P.C.

By _____
Urban L. Roth

ULR:JP2:sl
06CSP87/02/03.01
cc: See Attached List

Butte-Silver Bow County
Silver Bow County Courthouse
Butte, Montana 59701

ATTN: Donald Peoples, Manager

Butte-Silver Bow Planning Board
Silver Bow County Courthouse
Butte, Montana 59701

Butte-Silver Bow Chamber of Commerce
2950 Harrison Avenue
Butte, Montana 59701

School District #1
111 North Montana Street
Butte, Montana 59701

ATTN: Mr. Robert Moodry

State Soil Conservation Service
10 East Babcock Street, Room 443
Federal Building
Bozeman, Montana 59715

Department of Health and
Environmental Sciences
Air Quality Bureau
Cogswell Building, Room A116
Helena, Montana 59620

Department of Commerce
Aeronautics Division
2630 Airport Road
Helena, Montana 59620

Department of Natural
Resources and Conservation
Office of the Director
1520 East 6th
Helena, Montana 59620

Department of Fish, Wild-
life & Parks
Project and Planning Bureau
Parks Division
1420 East 6th Avenue
Helena, Montana 59620

Environmental Quality Council
Office of the Director
Capitol Post Office
P. O. Box 215
Helena, Montana 59620

Community Planning Development
Silver Bow County Courthouse
Butte, Montana 59701

ATTN: Mr. Tom Cash, Director

Butte-Silver Bow T.C.C.
Silver Bow County Courthouse
Butte, Montana 59701

Butte-Silver Bow Commissioners
Silver Bow County Courthouse
Butte, Montana 59701

Silver Bow County Extension Agent
Silver Bow County Courthouse
Butte, Montana 59701

Department of Anthropology
University of Montana
Missoula, Montana 59801

Department of Health and
Environmental Sciences
Water Quality Bureau
Cogswell Building, Room A206
Helena, Montana 59620

Department of Commerce
Transportation Division
1424 9th Avenue
Helena, Montana 59620

Department of State Lands
Office of the Commissioner
1625 11th Avenue
Helena, Montana 59620

Department of Fish, Wild-
life & Parks
Fisheries Division
1420 East 6th Avenue
Helena, Montana 59620

ATTN: Stream Preservation Act Mgr.

Montana Department of Education
Montana State Library
1515 East Sixth Avenue
Helena, Montana 59620

Montana Historical Society
State Historic Preservation Officer
225 North Roberts Street
Helena, Montana 59601

Montana State University
Institute of Applied Research
Bozeman, Montana 59715

State Clearinghouse
Lieutenant Governor's Office
Capitol Building
Helena, Montana 59620

Department of the Army
Omaha District Corps of Engineers
6014 U.S. Post Office & Courthouse
215 North 17th Street
Omaha, Nebraska 68102

ATTN: MROOP-N

Federal Housing Administration
Office of the Director
Housing & Urban Development
Federal Office Building
301 South Park, Drawer 10095
Helena, Montana 59626

U.S. Department of the Interior
Bureau of Land Management
222 North 32nd Street
P. O. Box 36800
Billings, Montana 59107

Environmental Protection Agency
Deputy Regional Administrator
One Denver Place, Suite 1300
999 18th Street
Denver, Colorado 80202-2413

U.S. Department of the Interior
Office of Environmental Project Review
Washington, D.C. 20242

ATTN: Bruce Blanchard, Director

Montana State University
Department of Anthropology
Bozeman, Montana 59715

ATTN: Dr. Les Davis

U.S. Department of Agriculture
U.S. Forest Service, Region 1
P. O. Box 7669
Missoula, Montana 59801

ATTN: Regional Forester

U.S. Postmaster
Butte, Montana 59701

Department of the Army
Seattle District Corps of Engineers
P. O. Box C-3755
Seattle, Washington 98124

Department of Health and Human Services
Director, Office of Environmental Affairs
200 Independence Avenue S.W.
Room 537F
Washington, D.C. 20201

U.S. Department of the Interior
Bureau of Reclamation
Federal Building and U.S. Courthouse
550 West Fort Street, Box 043
Boise, Idaho 83724

Federal Emergency Management Agency
Region VIII
Denver Federal Center
Building 710
Denver, Colorado 80225

U.S. Department of the Interior
U.S. Geological Survey
Water Resources Division
Room 428, Federal Building
301 S. Park, Drawer 10076
Helena, Montana 59626

U.S. Department of the Interior
Chief, Environmental Impact
Assessment Program
U.S. Geological Survey, MS-760
Reston, Virginia 22092

U.S. Department of Transportation
Federal Aviation Administration
Airport District Office
FAA Building, Room 2
Helena, Montana 59601

U.S. Department of the Interior
Bonneville Power Administration
P. O. Box 3621 - SJ
Portland, Oregon 97208

ATTN: A.R. Morrell,
Environmental Manager

U.S. Department of Transportation
United States Coast Guard
Commander (OAN)
13th Coast Guard District
915 Second Avenue
Seattle, Washington 98174

U.S. Fish & Wildlife Service
Endangered Species Field Office
Federal Building
301 South Park
Helena, Montana 59626

Burlington Northern R.R., Inc.
Rocky Mountain District
Timber and Land Management
700 South Avenue West
Missoula, Montana 59801

ATTN: Don M. Nettleton, Director

Sierra Club
Bitterroot Mission Group
c/o Mr. Leo Joron
545 Beverly Avenue
Missoula, Montana 59801

Montana Automobile Association
P. O. Box 4129
Helena, Montana 59604

U.S. Department of the Interior
Chief, Western Field Operation
Center
Bureau of Mines
East 360 3rd Avenue
Spokane, Washington 99202

U.S. Department of Transportation
Federal Highway Administration
301 South Park, Drawer 10056
Helena, Montana 59626

U.S. Department of the Interior
National Park Service
Branch of Compliance, RMRD-PC
Denver Federal Center
P. O. Box 25287
Denver, Colorado 80225

U.S. Department of the Interior
Office of Environmental Project
Review
Denver Federal Center
Building 67, Room 488
P. O. Box 25007
Denver, Colorado 80225

American Wilderness Alliance
7600 East Arapahoe Road, Suite 114
Englewood, Colorado 80112

ATTN: C. R. Merritt,
Executive Director

Mr. Richard P. Graetz
P. O. Box 5630
Helena, Montana 59604

The Wilderness Society
P. O. Box 635
Helena, Montana 59624

ATTN: Mr. Bill Cunningham

Montana Stockgrowers Association
Office of the Secretary
P. O. Box 1679
Helena, Montana 59624

Montana Wildlife Federation
P. O. Box 3526
Bozeman, Montana 59715

Mr. Jack Burke
50 Burning Tree Lane
Butte, Montana 59701

Butte Civic Center
1340 Harrison Avenue
Butte, Montana 59701

ATTN: Manager

Montana Power Company
40 East Broadway
Butte, Montana 59701

Butte Water Company
124 West Granite
Butte, Montana 59701

Albertson's Food Center
1275 Harrison
Butte, Montana 59701

Mr. and Mrs. George Schotte
2805 Floral Park Boulevard
Butte, Montana 59701

Mountain Bell Telephone Co.
P. O. Box 1716
Helena, Montana 59601

ATTN: Mgr. Highways Toll & R/W

KOA Park
1601 Kaw Avenue
Butte, Montana 59701